

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

All Cases Noted on Attached Appendix A

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**SECOND MASTER STIPULATION AND [PROPOSED] ORDER
DISMISSING WITH PREJUDICE CLAIMS
PURSUANT TO CVS SETTLEMENT AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for the Plaintiff Subdivisions identified in Appendix A (collectively, the “Dismissing Plaintiffs”) and Defendants CVS Health Corporation and CVS Pharmacy, Inc. (collectively and together with the Released Entities, “CVS”¹) that, pursuant to the election of each Dismissing Plaintiff to participate in the CVS Settlement Agreement, which is dated December 9, 2022, and binding on the Dismissing Plaintiffs and CVS, and which has an Effective Date of June 23, 2023 (a copy of which is attached as Appendix B), all claims of each Dismissing Plaintiff against CVS, including any entity identified on the attached Appendix C, are hereby voluntarily **DISMISSED**

¹ The Released Entities are each and every entity that is a “Released Entity” as set forth in Section I.KKK and Exhibit J of the CVS Settlement Agreement, dated as of December 9, 2022, a copy of which is attached as Appendix B. They include, but are not limited to, the entities listed on Appendix C, also attached hereto. Appendix C is not intended to limit the scope of Released Entities, and to the extent that Dismissing Plaintiffs or CVS subsequently identify any Released Entity that should have been included on Appendix C and is a defendant in an action brought by a Dismissing Plaintiff, they will inform the Clerk of the Court.

WITH PREJUDICE, with each party to bear its own costs. The Court shall retain jurisdiction with respect to the CVS Settlement Agreement to the extent provided under that Agreement.²

Dated: February 19, 2024

Agreed as to form and substance:

Respectfully submitted,

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Plaintiffs' Co-Lead Counsel

² To the extent any Plaintiff Subdivision is inadvertently included on Appendix A, the Court retains jurisdiction to hear those disputes. In advance of raising any such issue with the Court, the Plaintiff Subdivision must meet and confer with defense counsel and Plaintiffs' Liaison Counsel.

/s/Peter H. Weinberger
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*Counsel for CVS Health Corporation
and CVS Pharmacy, Inc.*

SO ORDERED this ___ day of _____, 2024.

Hon. Dan Aaron Polster
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on February 19, 2024, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/Peter H. Weinberger

Peter H. Weinberger